

FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal No. 2006-39
v.	)	
	)	
FRANCISCO PEREZ POLANCO, and	)	
DOMIQUITE MATHURIN	)	
	)	
Defendants.	)	
_____	)	

Attorneys:

Delia Smith, AUSA

*For the plaintiff,*

Thurston McKelvin, FPD

*For defendant Domiquite Mathurin,*

Leonard Bernard Francis, Esq.

*For defendant Francisco Perez Polanco.*

**JUDGMENT**

GÓMEZ, C.J.

Before the Court are the suppression motions of Francisco Perez Polanco ("Polanco") and Domiquite Mathurin ("Mathurin") (collectively, the "defendants"). For the reasons stated in the accompanying memorandum of even date, it is hereby

**ORDERED** that Polanco's motion to suppress is **DENIED**; it is further

**ORDERED** that Mathurin's motion is **DENIED** to the extent it seeks suppression of the cocaine discovered during the search of

the green Toyota 4-Runner in which he was a passenger on June 15, 2006; it is further

**ORDERED** that Mathurin's motion is **GRANTED** to the extent it seeks suppression of the statements made by Mathurin after his illegal arrest on June 15, 2006; and, it is further

**ORDERED** that the statements made by Mathurin after his illegal arrest on June 15, 2006, shall be **SUPPRESSED**.<sup>1</sup>

**DATED: January 25, 2007**

\_\_\_\_\_  
/s/  
**Curtis V. Gómez**  
**Chief Judge**

**A T T E S T:**

Wilfredo F. Morales  
Clerk of Court

**by:** \_\_\_\_\_  
/s/  
Deputy Clerk

Copies to:

Hon. Geoffrey W. Barnard  
Delia Smith, AUSA  
Thurston McKelvin, FPD  
Leonard Bernard Francis Jr., Esq.  
Carol C. Jackson  
Olga Schneider  
Lydia Trotman  
Claudette Donovan  
Bailey Figler

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<sup>1</sup> The statements suppressed by this order do not include those post-arrest statements made in response to administrative inquiries or any inquiries made to obtain consent to search.